

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Parsons et al.)
) Group Art Unit: 2176
Serial No.: 10/624,883)
)
Filed: July 21, 2003)
)
For: **Method and System for Domain Name Registration and Email by Proxy**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO MAKE SPECIAL

This is applicants' Petition to Make Special in the above-identified application based upon actual infringement of the invention as currently claimed.

Accompanying this Petition is the declaration of Thomas D. MacBlain in support thereof averring that there is an infringing product actually on the market and an infringing method in use, that a rigid comparison of the infringing product and method with the claims of the application has been made and that in his opinion they are unquestionably infringed and that he has caused to be made a careful and thorough search of the prior art. Finally the accompanying declaration of Thomas D. MacBlain avers that in his opinion the claims as currently present in the application patentably differ from the art of which he is aware. That art includes art uncovered during the careful and thorough search that was conducted at Mr. MacBlain's request and art uncovered and cited in the related PCT applications, PCT/US02/27742 and PCT/US02/27956.

Also accompanying this Petition is applicants' Preliminary Amendment and Information Disclosure Statement with copies of cited art. The enclosed Preliminary Amendment makes claim amendments believed to clarify the invention protection to which applicants believe they are entitled. The Information Disclosure Statement identifies art uncovered by applicants' searcher during the careful and thorough search requisite to the Petition and that cited in the preliminary search reports in the two related PCT applications.

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01 FC:1460

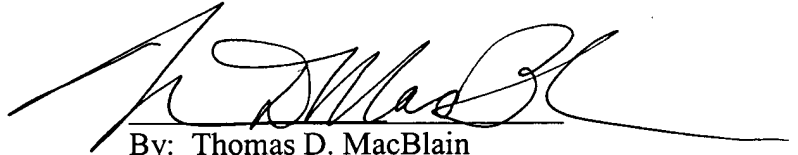
Applicants' petition fee in the amount of \$130.00 per 37 C.F.R. 1.17(h) accompanies this petition. Authorization is hereby given to charge any additional fee or to credit any overpayment to the deposit account number 070135 of the undersigned attorneys for applicant.

Favorable and prompt examination and allowance of this application is respectfully solicited.

Respectfully submitted,

Date:

11/17/03

A handwritten signature in black ink, appearing to read 'T. MacBlain', written over a horizontal line.

By: Thomas D. MacBlain
Reg. No. 24,583

Gallagher & Kennedy, P.A.
2575 East Camelback Road
Phoenix, Arizona 85016-9225
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tdm@gknet.com

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**DECLARATION OF THOMAS D. MACBLAIN IN SUPPORT OF PETITION TO MAKE
SPECIAL**

Deponent, Thomas D. MacBlain, declares as follows:

1. That I am an attorney registered to practice before the U.S. Patent and Trademark Office and represents the applicants Robert R. Parsons, Joshua T. Coffman and Barbara J. Rechterman in the above-identified application;
2. That I am aware of an infringing product actually on the market and an infringing method actually in use at this time;
3. That I have made a rigid comparison of the alleged infringing product and method of the claims of the application and that in my opinion at least some of the claims are unquestionably infringed;
4. That I have caused to be made a careful and thorough search of the prior art;
5. That I believe the claims now present in the application to be patentable over the most pertinent and material of the prior art (a) uncovered in the search that he has caused to be made, (b) prior art referenced in the preliminary search in the PCT application number PCT/US02/27742 and (c) prior art cited in the preliminary search report in the PCT application number PCT/US02/27956.

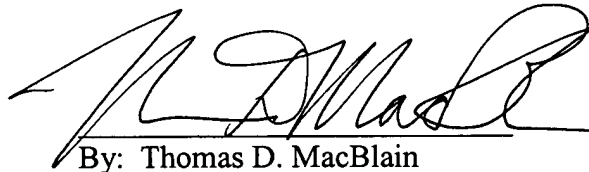
6. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and make this declaration under penalty of perjury.

Further deponent sayeth not.

Respectfully submitted,

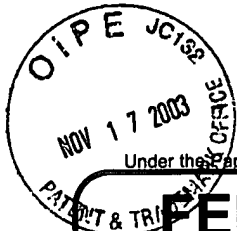
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DAG Image

PTO/SB/17 (10-03)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

Complete if Known

| | |
|----------------------|------------|
| Application Number | 10/624,883 |
| Filing Date | 7/21/2003 |
| First Named Inventor | Parsons |
| Examiner Name | |
| Art Unit | 2176 |
| Attorney Docket No. | 15569-0005 |

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number
Deposit Account Name

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1001 | 770 | 2001 | 385 | Utility filing fee | |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | | (\$) | |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| | | Extra Claims | | Fee from below | | Fee Paid |
|--------------------|----------------------|--------------|----------------------|----------------|----------------------|----------------------|
| Total Claims | <input type="text"/> | -20** = | <input type="text"/> | X | <input type="text"/> | <input type="text"/> |
| Independent Claims | <input type="text"/> | -3** = | <input type="text"/> | X | <input type="text"/> | <input type="text"/> |
| Multiple Dependent | | | | | <input type="text"/> | <input type="text"/> |

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 | |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 | |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid | |
| 1204 | 86 | 2204 | 43 | ** Reissue independent claims over original patent | |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | | | (\$) | |

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | Design issue fee | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | 130 |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130)

SUBMITTED BY

(Complete if applicable)

| | | | | | |
|-------------------|--------------------|-----------------------------------|----------|-----------|--------------|
| Name (Print/Type) | Thomas D. MacBlain | Registration No. (Attorney/Agent) | 24,583 | Telephone | 602-530-8088 |
| Signature | | Date | 11/17/03 | | |

WARNING: Information on this form may become public. Credit card information should not be included in this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.